



1457 Rec'd PCT/PTO 26 APR 2006 PCT

PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 10/566,109 )  
)  
Filed: January 26, 2006 )  
)  
For: APPARATUS FOR DELIVERING )  
HUMIDIFIED GASES )  
)  
Applicant: Mackinson and Kramer )  
)  
Examiner: Not yet assigned )  
)  
Art Unit: Not yet assigned )  
)  
Attorney Ref: 1171/44327/163-PCT-US )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

April 21, 2006  
Date

Johanna E. Cronin

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**Mail Stop: Missing Parts**

Sir:

The above-noted application was filed under the provisions of 37 CFR 1.494, and in conjunction therewith a Notification of Missing Requirements issued on April 12, 2006.

The Notification indicates that an executed oath or declaration of the inventors must be provided. Please find enclosed the following:

- a. An executed Declaration and Power of Attorney for Patent Application duly executed by the inventors;
- b. A copy of the aforementioned Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and


- c. A check in the amount of \$130.00 to cover the surcharge for filing the executed Declaration at this time.

The Commissioner is authorized to charge Deposit Account No. 20-1495 any amount necessary to cover any additional costs associated with this Response in the event that the check mentioned above is either insufficient or lost, or to credit any overpayment.

It is believed that the enclosed material responds fully to the aforementioned Notice and if any additional information is needed, please contact the undersigned at (312) 704-1890.

Respectfully submitted,

Dated: April 21, 2006

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,109	Ian Douglas Makinson	1171/44327/163-PCT-US

279

TREXLER, BUSHNELL, GIANGIORGI,  
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**RECEIVED**  
 APR 18 2006

TREXLER, BUSHNELL, GIANGIORGI,  
 BLACKSTONE & MARR, LTD.

INTERNATIONAL APPLICATION NO.

PCT/NZ04/00166

I.A. FILING DATE

07/27/2004

PRIORITY DATE

08/01/2003

CONFIRMATION NO. 9532

371 FORMALITIES LETTER



\*OC000000018508340\*

Date Mailed: 04/12/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/26/2006
- Copy of the International Search Report filed on 01/26/2006
- Preliminary Amendments filed on 01/26/2006
- Information Disclosure Statements filed on 01/26/2006
- Oath or Declaration filed on 01/26/2006
- U.S. Basic National Fees filed on 01/26/2006
- Priority Documents filed on 01/26/2006
- Specification filed on 01/26/2006
- Claims filed on 01/26/2006
- Abstracts filed on 01/26/2006
- Drawings filed on 01/26/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,109	PCT/NZ04/00166	1171/44327/163-PCT-US